

WEC's comment pertains to question #21 in the issues memo:

*21. What process should the Board use, and what standards should the Board rely on, to determine where "equity requires" that a retail electricity provider be relieved, in whole or in part from standard offer purchases, if it makes a showing that it receives at least 25% of its energy from qualifying SPEED resources?*

WEC believes that this process can and should be very simple, as in WEC's case, the Board already has the necessary information or it is readily and publicly available.

1. Since the Board has previously issued Certificates of Public Good for the facility in question and its subsequent expansions through the Section 248 process, the Board has the information on record to verify the existence and location of the facility, the timeframe when it and the expansions were built, the generating capacity, and that the type of generation falls within the statutory definition of a "qualifying SPEED resource."

2. The output of the generating plant and WEC's own energy use or kWh sales are also a matter of record, reported by WEC to a variety of public entities as well as at ISO New England.

WEC suggests that in order to make this determination, a retail electricity provider submit a letter to the Board, copied to the Department of Public Service and the SPEED administrator, requesting relief from the standard offer purchase obligation pursuant to statute. The letter would contain the information about the generating resource that would confirm that it is a qualifying SPEED resource, as well as its actual energy output and the provider's total energy use for the most recently completed calendar year. Unless there were significant questions, we believe the Board could make this determination without the need for a docket, similar to the process for issuing an accounting order. WEC would suggest that the retail provider be required to notify the Board promptly if at the conclusion of any subsequent year, the provider no longer received at least 25% of its energy from the qualifying SPEED resource(s).

The Board should establish a date by which it would need to receive a request letter from a retail electricity provider. (In WEC's case, we are prepared to submit such a request within a month .or less)